

**MINTZ & FRAADE, P.C.**  
COUNSELORS AT LAW  
488 MADISON AVENUE  
NEW YORK, NEW YORK 10022

TELEPHONE  
(212) 486-2500

TELECOPIER  
(212) 486-0701

**MEMO ENDORSED**

OF COUNSEL  
JAY D. FISCHER  
EDWARD C. KRAMER  
MELVIN L. LEBOW  
KEVIN J. MCGRAW  
ARTHUR L. PORTER, JR.  
JON M. PROBSTEN  
SEYMOUR REITKNECHT  
I. FREDERICK SHOTKIN

April 14, 2008

**VIA FACSIMILE**

Hon. Colleen McMahon, U.S.D.J.  
United States District Court, Southern District of New York  
500 Pearl St., Room 640  
New York, NY 10007

Re: Scantek Medical, Inc. v. Angela Chen  
Sabella and Accordant Holdings, LLC.  
Index No.: 08 CV 00453 (CM) (the  
"Lawsuit")

*No Sur-reply*  
*Colleen McMahon*  
*4/15/08*

Dear Judge McMahon:

We are the attorneys of record for the Plaintiff with respect to the Lawsuit, and my firm, my partner and I are also third party-defendants. On Friday, April 11, 2008, my firm received Defendants' reply to Plaintiff Opposition to Defendants' Motion to Dismiss (the "Reply").

The Reply contains total fabrications of the truth, unnecessary personal attacks upon my law firm and myself, and misrepresentations of the law as it pertains to the Lawsuit. Based upon the foregoing, we respectfully submit that we should have an opportunity to submit a Sur-reply to correct the foregoing, and to demonstrate that, in any event, these attacks are not relevant. Accordingly, we hereby request the opportunity to submit a Sur-reply.

In order not to cause delay, we are currently in the process of drafting a Sur-reply, which we shall submit to you if we receive your authorization.

Respectfully submitted,



Alan P. Fraade

cc: Magistrate Judge Pitman  
Kenneth Sussmane, Esq.

APP/gtk

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/15/08